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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/238,375	01/27/1999	BRANDON A. GROOTERS	98-0674	6406

7590 10/20/2005

SUITER & ASSOCIATES
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EXAMINER

LUU, SY D

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/238,375

Applicant(s)

GROOTERS, BRANDON A.

Examiner

Sy D. Luu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/3/05 and prior.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the RCE and Amendment filed 5/03/05 and 3/31/05 respectively.
2. Claims 21-40 are pending in this application. Claims 21, 26, 31 and 36 are independent claims. In the amendment, claims 21, 26, 31, and 36 were amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 36 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 36 recites the limitation "said object" in line 12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC §103

6. Claims 21-31, 33-36 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douma et al. ("Douma", U.S. 5,990,884) and Humpleman et al. ("Humpleman", US 6,288,716 B1) in view of Wugofski (US 6,317,143).

As per claim 21, Douma teaches a system for generating a device user interface executable by an information handling system, comprising: a processor (fig. 3, *microprocessor 32 which is contained in the Intelligent A/V receiver 10*; col. 5, lines 52-54) for executing instructions on the information handling system and a memory (fig. 3, *data storage 34*; col. 5, lines 54-57) coupled to said processor for storing instructions for execution by said processor; a resource database including the modular user interface components (*aggregation of interface data associated with each multimedia component stored on each multimedia component wherein each user interface component is a module which together makes up the entire larger database of resources*; col. 6, line 51 - col. 7, line 13); a user interface generator for retrieving the modular user interface components for that device from said resource database without requiring user intervention and a layout manager for automatically assembling the user interface components retrieved by said user interface generator into a user interface executable by the information handling system to control the device without requiring user intervention (col. 7, lines 13-30, particularly lines 16-24; *it is also clear that the system automatically retrieves, and makes necessary layout of interface components before presenting the interface to the user without having the user to tell the system how it is done*).

Douma's system is implemented with the resource database being separate databases which are stored individually in each device instead of being stored separately from the device such as through the use of a single centralized database containing all resource information. It would have been obvious to an artisan at the time of the invention to use any one of the two options depending on the implementation method—that is, it is a design choice for system implementation. The end results would have been the same which is to provide the necessary device/component information to the processor for generating the proper interface specific to the requested device. Thus, for the centralized device database implementation,

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since the resource database includes interface components which is an aggregation of interface data associated with each multimedia component stored on each multimedia component, it is clear that the device database, containing available user interface components, is inherently included in the resource database.

Furthermore, Douma also discloses such an alternative implementation method of storing resource information, such as interface specifications, for each component at a central database separately from each component (col. 1, lines 22-26), as well as the resource database being updated from at least one of a single information storage medium or a network (col. 1, lines 26-28)

Douma does not explicitly discuss the function of the user interface generator to determine whether the device is included in the device database. However, it would have been obvious to an artisan at the time of the invention that such a determining function is inclusive and must be performed whenever a new component/device is added to the system. This is necessary to handle situation where the new component is a non-compliant component.

Although Douma does not explicitly disclose wherein at least two of the user interface components are objects, it is known in the art that objects are used to represent user interface components. For instance, Humpleman teaches a browser based command and control home devices, wherein objects are used to represent user interface components (fig. 11, controls in "Dads TV 804" and "Jims DVD 904" panels). It would have been obvious to an artisan at the time of the invention to include such objects as user interface components in Douma's system in order to provide intuitive means for facilitating option selections and navigation.

The method of Douma and Humpleman does not teach said objects to include common denominator functions for controlling a device, and the user interface generator to combine the objects to form a complete

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user interface for all functions of the device. Wugofski teaches a method for defining common denominator functions for controlling one or more devices in a dynamic graphical user interface, in which a user interface generator combines all functionalities to form a complete user interface for all functions of the one or more devices (col. 3, lines 49-67 and col. 4, lines 52 et seq.). It would have been obvious to an artisan at the time of the invention to combine Wugofski's teaching with the method of Douma and Humpleman in order to provide a common and consistent GUI for all devices.

As per claim 22, Douma discloses the device to be a multimedia device controlled by the information handling system (fig. 5, elements 16 and 18).

As per claims 23 and 24, by having the resource database (aggregation of interface data associated with each multimedia component stored on each multimedia component; col. 6, line 51 - col. 7, line 13), which inherently includes the device list/database, in the Douma's system pre-created as aggregation of interface data or in a central database implementation, it would have been obvious to an artisan at the time of the invention that when the user interface is being generated by the system, these databases were already available for accessing without requiring user intervention. The operation is well Remonstrated in the automatic "two-way" communication method between multimedia devices and the controlling system (col. 6, line 45 -col. 7, line 30).

As per claim 25, Douma teaches the user interface components of said resource database comprise a plurality of objects (fig. 5, elements 136, 138, 140, 142), as well as Humpleman (fig. 11, controls in "Dads TV804" and "Jims DVD 904"panels).

Claims 26-30 are similar in scope to claims 1-5, and therefore are rejected under similar rationale.

Claims 31 and 33-44 combined are similar in scope to claim 21, and therefore are rejected under similar rationale.

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Claims 35 is similar in scope to claim 25, and therefore is rejected under similar rationale.

Claims 36 and 38-40 are similar in scope to claims 31 and 33-35 respectively, and are therefore rejected under similar rationale.

7. Claims 32 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douma et al. ("Douma", U.S. 5,990,884), Humpleman et al. ("Humpleman", US 6,288,716 B1), and Wugofski (US 6,317,143). in view of Naughton et al. ("Naughton", US 6,020,881).

As per claim 32, Douma-Humpleman-Wugofski teach all claim limitations as applied to claim 31, but fails to teach the step of selecting a generic device user interface component in the event the device is not known or non-compliant to the system, and thus similar to a situation where the device is not listed in the database. Naughton teaches a method for controlling devices using an intuitive GUI, wherein a generic user interface program object is used when a communicating device is not known to the receiver (handheld display device; col. 30, lines 10-32). Therefore, it would have been obvious for an artisan at the time of the invention to combine Naughton's teaching with the system of Douma-Humpleman-Wugofski in order to provide users with a closest alternative device user interface component when the specific device is not available in the database.

Claim 37 is similar in scope to claim 32, and therefore is rejected under similar rationale.

Response to Arguments

8. Applicant's arguments with respect to the amended independent claims have been considered but are moot in view of the new ground(s) of rejection.

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Inquires

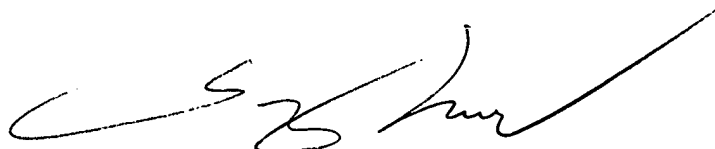
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (571) 272-4064. The examiner can normally be reached on Monday - Friday from 7:300 am to 4:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SY D. LUU
PRIMARY EXAMINER
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